

**News Release****Communications New Brunswick****New Brunswick Human Rights Commission****Human Rights Commission makes presentation on Pay Equity Act (04/11/23)**

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FREDERICTON (CNB) - On Nov. 19, 2004, Alanna Palmer, chair of the New Brunswick Human Rights Commission, made a presentation to the Legislative Committee studying Bill 77, the *Pay Equity Act*. That presentation and the submission made by the Human Rights Commission to the Wage Gap Roundtable in June 2003 are attached. Those presentations were made within the commission's mandate to administer the *Human Rights Act*, to promote an understanding of and compliance with the act and to develop and conduct educational programs designed to eliminate discriminatory practices.

Following is the text of Palmer's presentation. She delivered three key messages.

- The right to equal pay for work of equal value is a basic human right.
- The commission supports the urgent need for concrete action on the wage-gap front. The commission supports the voluntarist approach adopted by government in response to the wage-gap report. The commission urged that this response be backed up by increased resourcing of the commission, with a greater investment in educational efforts so that New Brunswick women, and other groups affected by wage disparities, feel confident enough to assert their equality rights and access the complaint mechanism of the *Human Rights Act* when necessary.
- However, if the government was to introduce legislation enforcing pay equity, then the New Brunswick Human Rights Commission is the place to center responsibility for the establishment, monitoring and compliance with meaningful pay equity standards.

The *Human Rights Act* provides that any person claiming to be a victim of sex discrimination in the employment sector may file a complaint with the commission. The commission will investigate complaints of both direct and indirect discrimination, including complaints of systemic discrimination. Thus, a woman or a group of women claiming to be aggrieved as a result of pay scales or practices which treat them differently from men may file a complaint with the commission.

Some have done this. For example, in 1986 the Human Rights Commission argued at the first and only New Brunswick Board of Inquiry into a pay equity complaint. As a result, 30 female workers at Kings Landing Corporation were ordered to receive a wage adjustment and awarded \$100 each as nominal damages for injury to their dignity.

In another case, female lawyers in a large public authority complained that they were paid less than their male counterparts in another service division. The complaint was settled and there was a wage adjustment made for the female lawyers working in the division.

These and others are examples of how individual women in the province have been able to obtain redress for wage gap issues affecting them in their workplaces: through complaint under the sex discrimination provisions of the *Human Rights Act*.

This approach is consistent with existing approaches in Canada federally, in Quebec and in Ontario. It was recommended in the Abella Commission's Report on Equality in Employment in the mid 1980s, and remains a proven and successful method for achieving more equity in employment.

Clearly, it would require the investment of additional resources in the New Brunswick Human Rights Commission to cover the responsibility to promote and monitor pay equity plans by employers in the province.

In conclusion, Palmer reiterated "that pay equity is fundamentally a human rights issue and that, as such, the Human Rights Commission is best situated to promote, monitor and enforce it."

The presentation on Bill 77 to the Standing Committee on Law Amendments on Nov. 19 is available online at: <http://www.gnb.ca/hrc-cdp/e/Pay-Equity-presentation-New-Brunswick-Human-Rights-Commission.pdf>

The Submission to the Wage Gap Roundtable in June 2003 is available online at: <http://www.gnb.ca/hrc-cdp/e/Pay-Equity-submission-New-Brunswick-Human-Rights-Commission-roundtable.pdf>

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